

## ABSTRACT

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In the reference read above, the Public Prosecutor, High Court of Andhra Pradesh, Hyderabad has sent his opinion for filing a petition for leave to appeal to Honourable Supreme Court of India, New Delhi against the order dated. 16-6 -2008 in Criminal Appeal SR No. 8476 of 2008 on the file of the Hon'bnle High Court of A.P. Hyderabad

2. The Criminal Revision Case No. 1667/2007, against the judgment in CrI. Appeal No. 114/2004 dt. 10-4-2004 dt. 10-4-2006 on the file Court of the First Additional District and Session Judge, Machilipatnam was filed by Sri D. Prasanna, defacto complainant before the Hon'ble High Court and the Hon'ble High Court in its order dt. 04-12-2007 admitted the same and posted for final hearing and the same is now, pending before the Hon'ble High Court for adjudication. The above fact was not brought to the notice of the Hon'ble High Court by the Public Prosecutor and hence the Hon'ble High Court in its order dt. 16-6-2008 have dismissed the miscellaneous petition as well as the revision petition consequently. Hence, it is fault on the part of the concerned P.P. failure to brought to the notice of the Hon'ble High Court, the CrI. Revision Petition pending before the Hon'ble High Court. Hence the opinion tendered by the P.P. is not in accordance with law and it is a fit case to file an SLP before the Supreme Court with a request to set aside the orders of the Hon'ble High Court in CrI. M.P.No. 781/08 and CrI. Appeal S.R. No. 8476/06 dt. 16-06-2008 or to remand the matter to the Hon'ble High Court to be heard the CrI. Appeal (SR) No. 8476/06 along with CrI. Revision Case No. 1667/07.

2. Government after careful examination of the proposal of the Public Prosecutor, Honourable High Court of Andhra Pradesh, Hyderabad, hereby decided to file a petition for leave to Appeal to Honourable Supreme Court of India, New Delhi against the orders dated 16-06-2008 of the Honourable High Court of Andhra Pradesh, Hyderabad in Criminal Appeal SR No. 8476 of 2008 on the file of the Hon'ble High Court of A.P. Hyderabad

3. Accordingly, a copy of the opinion of Public Prosecutor, Honourable High Court of Andhra Pradesh, Hyderabad together with its enclosures in Original are herewith forwarded to the Special Officer, O/o the Advocate-On-Record for State of Andhra Pradesh at New Delhi for taking immediate action, to file an appeal before the Honourable Supreme Court of India, New Delhi against the orders of Honourable High Court of Andhra Pradesh, Hyderabad dated.23-09-2008 of the Honourable High Court of Andhra Pradesh, Hyderabad in Criminal Appeal SR No. 8476 of 2008 on the file of the Hon'ble High Court of A.P. Hyderabad.

4. The Special Officer, Advocate – On – Record, New Delhi is also directed to intimate the stage of the case from time to time till it is disposed off and acknowledge the receipt of this order and its enclosures immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. RAMACHANDRA REDDY,  
SECRETARY TO GOVERNMENT  
LEGISLATIVE AFFAIRS & JUSTICE

To

The Special Officer,

O/o Advocate On Record, A.P. Bhavan, Ashoka Road No.1, New Delhi 1100 01 (we)

The Public Prosecutor, High Court of A.P. Hyderabad

The Additional Director General of Police, CID, A.P. Hyderabad

The Director General of Police, A.P. Hyderabad.

The Superintendent of Police, Krishna District

SF/SC

//FORWARDED BY ORDER //

SECTION OFFICER